REMARKS

The Office Action mailed July 17, 2008, and made final, has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-37 are now pending in this application. Claims 1-37 stand rejected. No new matter has been added.

The rejection of Claims 1-8, 11-13, 16-18, 20-30, and 33-35 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2002/0116210 (Medina) in view of U.S. Pub. No. 2002/0156656 (Harrell) is respectfully traversed.

Applicants respectfully submit that neither Medina nor Harrell, considered alone or in combination, describe or suggest the claimed invention. At least one of the differences between the cited references and the present invention is that neither Medina nor Harrell, alone or in combination, describe or suggest a method for quoting reinsurance for a reinsurance company that includes *automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote.*

Moreover, Applicants submit that neither Medina nor Harrell, alone or in combination, describe or suggest a method for quoting reinsurance for a reinsurance company including *electronically transmitting a reinsurance contract* to the users as is recited in Claim 1.

In fact, the Office Action acknowledges at page 4 that Medina does not describe much, if any, of the elements claimed in the present application. Specifically, the Office Action states that Medina does not describe:

> a method of quoting reinsurance specifically for a reinsurance
> company; quotes from a reinsurance company; data provided to
> an application server is related to a specific insurance policy;
> automatically requesting whether the customer users providing
> data relating to the specific insurance policy desire a

8

> profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicating whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy; and, electronically communicating the quote for the reinsurance to customer users including electronically transmitting a reinsurance contract to the one or more customer users associated with the specific insurance policy.

Rather, Medina merely discloses a very broad computerized method for online quoting and pricing of tasks and, as acknowledged by Examiner, does not describe much, if any, of the elements of independent Claim 1. Notably, Medina does not describe or suggest insurance or reinsurance, let alone requesting whether the users desire a profitability analysis for the reinsurance policy quoted or electronically transmitting a reinsurance contract to the users.

However, Examiner asserts on page 4 of the Office Action that paragraphs [0028], [0070], [0133], and Table 8 of Harrell describes:

> Automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicating whether the quoted insurance policy improves profitability of the insurance company associated with the specific insurance policy.

Applicants traverse this assertion. Applicants respectfully submit that Harrell does not describe a profitability analysis as recited in the present claims. Rather, paragraphs [0028], [0070], and [0133] in Harrell recite:

> [0028] It is also desirable to generate management reports, such as profitability with respect to commodity, customer region, etc., and also to have claims data reporting capability.
>
> . . . .
>
> [0070] Finally, various types of management reports can be generated from the on-line data, including profitability, customer demographics and claim history.
>
> . . . .
>
> [0133] FIG. 8 shows a flow diagram for reinsurance, with corresponding definitions as listed in Table 8, below.

In other words, Harrell describes a method for selling marine cargo insurance that includes the ability to generate management reports such as profitability with respect to commodity, customer region, etc. Thus, the "profitability" described in Harrell relates to the profitability of the insurance company with respect to the insurance policies it has issued to the insureds

(i.e., whether the amount of claims has exceeded the premiums paid on the policies). Harrell does not describe a profitability analysis that indicates *whether a quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote.*

Since Harrell does not describe a reinsurance policy quote, it follows that Harrell cannot describe a profitability analysis for the reinsurance policy quoted. Applicants respectfully submit that the generation of management reports as described in Harrell does not describe or suggest a "profitability analysis for the reinsurance policy quoted" as is recited in Claim 1.

Moreover, Examiner asserts on page 4 of the Office Action that paragraphs [0044], [0133], and Table 8 describes:

> [E]lectronically communicating the quote for the reinsurance to customer users including electronically transmitting a reinsurance contract to the one or more customer users associated with the specific insurance policy.

Applicants traverse this assertion. Applicants respectfully submit that Harrell does not describe or suggest electronically transmitting a reinsurance contract.

Rather, paragraphs [0044], [0133], and Table 8 in Harrell recites:

> [0044] d. The customer can review the quote information provided by the system, and make data modifications while in the quote screen, to see whether changes in the deductible amount or shipment locations can result in a cheaper rate.
> . . . .
> [0133] FIG. 8 shows a flow diagram for reinsurance, with corresponding definitions as listed in Table 8, below.

In other words, the supposed "electronically transmitting a reinsurance contract" described in Harrell is based on a customer having the ability to review quote information, and make modifications, while in the quote screen. As such, the quote screen provides an unresolved worksheet and is not a reinsurance contract. Applicants respectfully submit that the supposed "electronically transmitting a reinsurance contract" described in Harrell does not describe or suggest "electronically transmitting a reinsurance contract" as is recited in Claim 1.

Medina describes a computerized system and method for coordinating business information flow to permit a provider of goods or services to prepare a project proposal including a price quote for a project requested by a customer. Notably, Medina does not describe, teach or even suggest insurance or reinsurance.

Harrell describes a storage media and method for transacting cargo insurance business in a network environment that includes an on-line automation of quoting, billing, certificate issuance, underwriting, and claims processing. The method also includes customer qualification and support services, in addition to data collection and analysis, for management report generation.

Claim 1 recites a method for quoting reinsurance for a reinsurance company that includes "authorizing electronic requests from one or more customer users, the one or more customer users including users associated with insurance companies seeking a quote from the reinsurance company for reinsuring insurance policies underwritten by the insurance companies...providing data to an application server from the one or more customer users for the quote of reinsurance, wherein the data provided including data relating to a specific insurance policy...automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote...processing the data according to rules within a database networked with the application server, to generate the quote for the reinsurance for the specific insurance policy...and electronically communicating the quote for the reinsurance to the customer users including electronically transmitting a reinsurance contract to the one or more customer users associated with the specific insurance policy."

Applicants respectfully submit that no combination of Medina and Harrell describes or suggests a method for quoting reinsurance for a reinsurance company as is recited in Claim 1. Specifically, no combination of Medina and Harrell describes or suggests automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein *the profitability analysis indicates whether the quoted reinsurance policy*

improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote. (Emphasis added.)

Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, and Harrell describes profitability reports with respect to commodity and customer region. Specifically, Harrell describes generating management reports, such as a profitability report, for an insurance company that has issued marine cargo insurance policies to insureds. In other words, the profitability report described in Harrell relates to the number of claims filed on an issued insurance policy and the premiums charged; whereas, in contrast, the profitability analysis described in the present application indicates whether a quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote. The reports described in Harrell do not describe or teach the profitability analysis described in the present application.

Moreover, no combination of Medina and Harrell describes or suggests electronically transmitting a reinsurance contract to a customer user. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, and Harrell describes reviewing quote information and making data modifications on a quote screen. Accordingly, for at least the reasons set forth above, Claim 1 is submitted as patentable over Medina in view of Harrell.

Claims 2-8 and 11-13 depend from independent Claim 1. When the recitations of Claims 2-8 and 11-13 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that dependent Claims 2-8 and 11-13 likewise are patentable over Medina in view of Harrell.

Claim 16 recites a system for quoting reinsurance for a reinsurance company that includes a web server, an application server, and a database, wherein the system is configured to "receive electronic requests for reinsurance quotations from customer users, the customer users including users associated with insurance companies seeking a quote from the reinsurance company for reinsuring insurance policies underwritten by the insurance companies...receive data from the customer users for the quote of reinsurance, wherein the data provided including data relating to a specific insurance policy...request whether the

customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote...process the received data according to rules within the database to generate the quote for the reinsurance for the specific insurance policy...and electronically communicate the quote for the reinsurance to the customer users including electronically transmitting a reinsurance contract to the customer users associated with the insurance company for the specific insurance policy."

Applicants respectfully submit that no combination of Medina and Harrell describes or suggests a system for quoting reinsurance for a reinsurance company as is recited in Claim 16. Claim 16 recites a system configured to perform steps essentially similar to those recited in Claim 1. Thus, it is submitted that Claim 16 is patentable over Medina and Harrell for the reasons that correspond to those given with respect to Claim 1. Accordingly, for at least the reasons set forth above, Claim 16 is submitted as patentable over Medina in view of Harrell.

Claims 17-18 and 20-23 depend from independent Claim 16. When the recitations of Claims 17-18 and 20-23 are considered in combination with the recitations of Claim 16, Applicants respectfully submit that dependent Claims 17-18 and 20-23 likewise are patentable over Medina in view of Harrell.

Claim 24 recites a software product comprising instructions for quoting reinsurance for a reinsurance company that comprises the steps of "authorizing electronic requests from one or more customer users, the one or more customer users including users associated with insurance companies seeking a quote from the reinsurance company for reinsuring insurance policies underwritten by the insurance companies...receiving data at an application server from the one or more customer users for the quote of reinsurance, wherein the data provided including data relating to a specific insurance policy...automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount

associated with the quote...processing the data according to rules within a database to generate the quote for the reinsurance for the specific insurance policy...and electronically communicating the quote for the reinsurance to the customer users including electronically transmitting a reinsurance contract to the one or more customer users associated with the specific insurance policy."

Applicants respectfully submit that no combination of Medina and Harrell describes or suggests a software product comprising instructions for quoting reinsurance for a reinsurance company as is recited in Claim 24. Claim 24 recites a software product comprising instructions to perform steps essentially similar to those recited in Claim 1. Thus, it is submitted that Claim 24 is patentable over Medina and Harrell for the reasons that correspond to those given with respect to Claim 1. Accordingly, for at least the reasons set forth above, Claim 24 is submitted as patentable over Medina in view of Harrell.

Claims 25-30 and 33-35 depend from independent Claim 24. When the recitations of Claims 25-30 and 33-35 are considered in combination with the recitations of Claim 24, Applicants respectfully submit that dependent Claims 25-30 and 33-35 likewise are patentable over Medina in view of Harrell.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1-8, 11-13, 16-18, 20-30, and 33-35 under Section 103 be withdrawn.

The rejection of Claims 9-10 and 31-32 under 35 U.S.C. § 103(a) as being unpatentable over Medina in view of Harrell, as applied to Claims 1, 8, 24, and 30, and further in view of www.ereinsure.com (Ereinsure) is respectfully traversed.

Medina and Harrell are described above. Ereinsure describes a web-hosted software application for placing reinsurance.

Claims 9-10 depend from Claim 1. Claim 1 is recited hereinabove.

Applicants respectfully submit that no combination of Medina, Harrell, and Ereinsure describes or suggests a method for quoting reinsurance for a reinsurance company as is recited in Claim 1. Specifically, no combination of Medina, Harrell, and Ereinsure describes or suggests automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for

the specific insurance policy, wherein the *profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote.* (Emphasis added.)

Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, Harrell describes profitability reports with respect to commodity and customer region, and Ereinsure generates standard and custom reports.

Moreover, no combination of Medina, Harrell, and Ereinsure describes or suggests electronically transmitting a reinsurance contract to a customer user. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, Harrell describes reviewing quote information and making data modifications on a quote screen, and Ereinsure provides a summary of the agreement. Accordingly, for at least the reasons set forth above, Claim 1 is submitted as patentable over Medina in view of Harrell and further in view of Ereinsure.

When the recitations of Claims 9-10 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 9-10 likewise are patentable over Medina in view of Harrell and further in view of Ereinsure.

Claims 31-32 depend from independent Claim 24. Claim 24 is recited hereinabove.

Applicants respectfully submit that no combination of Medina, Harrell, and Ereinsure describes or suggests a software product comprising instructions for quoting reinsurance for a reinsurance company as is recited in Claim 24. Claim 24 recites a software product comprising instructions to perform steps essentially similar to those recited in Claim 1. Thus, it is submitted that Claim 24 is patentable over Medina, Harrell, and Ereinsure for the reasons that correspond to those given with respect to Claim 1. Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 24 is patentable over Medina in view of Harrell and further in view of Ereinsure.

When the recitations of Claims 31-32 are considered in combination with the recitations of Claim 24, Applicants submit that dependent Claims 31-32 likewise are patentable over Medina in view of Harrell and Ereinsure.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 9-10 and 31-32 under Section 103 be withdrawn.

The rejection of Claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Medina, as applied to Claim 16, in view of Ereinsure is respectfully traversed.

Medina and Ereinsure are described above.

Claim 19 depends from independent Claim 16. Claim 16 is recited hereinabove.

Applicants respectfully submit that no combination of Medina and Ereinsure describes or suggests a system for quoting reinsurance for a reinsurance company as is recited in Claim 16. Specifically, no combination of Medina and Ereinsure describes or suggests requesting whether a customer user desires a profitability analysis for a reinsurance policy quoted. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, and Ereinsure generates standard and custom reports.

Moreover, no combination of Medina and Ereinsure describes or suggests electronically transmitting a reinsurance contract to a customer user. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, and Ereinsure provides a summary of the agreement. Accordingly, for at least the reasons set forth above, Claim 16 is submitted as patentable over Medina in view of Ereinsure.

Claim 19 depends from independent Claim 16. When the recitations of Claim 19 is considered in combination with the recitations of Claim 16, Applicants respectfully submit that dependent Claim 19 likewise is patentable over Medina in view of Ereinsure.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claim 19 under Section 103 be withdrawn.

The rejection of Claims 14-15 and 36-37 under 35 U.S.C. § 103(a) as being unpatentable over Medina in view of Harrell, as applied to Claims 1 and 24, and further in view of U.S. Patent 5,970,464 (Apte) is respectfully traversed.

Medina and Harrell are described above. Apte describes a computer implemented method of underwriting profitability analysis that delivers the analytic process to a wide cross section of insurance decision makers. The underwriting profitability analysis system

leverages an existing investment in databases and improves underwriting business processes. Data mining techniques are applied to historical policy and claims to extract rules that describe policy holders with homogeneous claim frequency and severity characteristics. These rule sets are used to classify policy holders into distinct risk groups, each with its own set of characteristics, including pure premium. Breaking up a book of business into segments allows identification of sub-populations of policy holders that distinctly deviate from the expected normal pure premium. This identification allows the insurance business analysts to interactively adjust eligibility criteria and examine altered characteristics of the covered segments until satisfactory. The system is implemented on a client server using network centric language technology.

Claims 14-15 depend from Claim 1. Claim 1 is recited hereinabove.

Applicants respectfully submit that no combination of Medina, Harrell, and Apte describes or suggests a method for quoting reinsurance for a reinsurance company as is recited in Claim 1. Specifically, no combination of Medina, Harrell, and Apte describes or suggests requesting whether a customer user desires a profitability analysis for a reinsurance policy quoted. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, Harrell describes profitability reports with respect to commodity and customer region, and Apte applies data mining techniques to historical policy and claims for extracting rules that describe policy holders and uses these rules to classify policy holders into distinct risk groups.

Moreover, no combination of Medina, Harrell, and Apte describes or suggests electronically transmitting a reinsurance contract to a customer user. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, Harrell describes reviewing quote information and making data modifications on a quote screen, and Apte provides a presentation of profitability analysis. Accordingly, for at least the reasons set forth above, Claim 1 is submitted as patentable over Medina in view of Harrell and further in view of Apte.

When the recitations of Claims 14-15 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 14-15 likewise are patentable over Medina in view of Harrell and further in view of Apte.

Claims 36-37 depend from independent Claim 24. Claim 24 is recited hereinabove.

17

Applicants respectfully submit that no combination of Medina, Harrell, and Apte describes or suggests a software product comprising instructions for quoting reinsurance for a reinsurance company as is recited in Claim 24. Claim 24 recites a software product comprising instructions to perform steps essentially similar to those recited in Claim 1. Thus, it is submitted that Claim 24 is patentable over Medina, Harrell, and Apte for the reasons that correspond to those given with respect to Claim 1. Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 24 is patentable over Medina in view of Harrell and further in view of Apte.

When the recitations of Claims 36-37 are considered in combination with the recitations of Claim 24, Applicants submit that dependent Claims 36-37 likewise are patentable over Medina in view of Harrell and Apte.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 14-15 and 36-37 under Section 103 be withdrawn.

The rejection of Claims 20-21 under 35 U.S.C. § 103(a) as being unpatentable over Medina, as applied to Claim 16, in view of Apte is respectfully traversed.

Medina and Apte are described above.

Claims 20-21 depend from Claim 16. Claim 16 is recited hereinabove.

Applicants respectfully submit that no combination of Medina and Apte describes or suggests a system for quoting reinsurance for a reinsurance company as is recited in Claim 16. Specifically, no combination of Medina and Apte describes or suggests requesting whether a customer user desires a profitability analysis for a reinsurance policy quoted. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, and Apte applies data mining techniques to historical policy and claims for extracting rules that describe policy holders and uses these rules to classify policy holders into distinct risk groups.

Moreover, no combination of Medina and Apte describes or suggests electronically transmitting a reinsurance contract to a customer user. Rather, in contrast to the invention, Medina does not describe or suggest insurance or reinsurance, and Apte provides a

18

presentation of profitability analysis. Accordingly, for at least the reasons set forth above, Claim 16 is submitted as patentable over Medina in view of Apte.

When the recitations of Claims 20-21 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claims 20-21 likewise are patentable over Medina in view of Apte.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 20-21 under Section 103 be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,
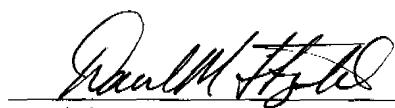
Daniel M. Fitzgerald
Registration No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070